

REMARKS

The Non-Final Office Action mailed October 9, 2009 considered and rejected claims 40-75. Claims 67-68 and 70 were rejected under 35 U.S.C. 101 because the claimed invention was directed to non-statutory subject matter. Claims 40-57, 59-62, 67-69 were rejected under 35 U.S.C. 103(a) as being unpatentable over Keller et al. (US 2004/0049509) hereinafter *Keller* in view of Ahlstrom et al. (US 6,418,468) hereinafter *Ahlstrom* in view of Grier et al. (US 2002/0100017) hereinafter *Grier* and further in view of Chang et al. (US 2005/0015761) hereinafter *Chang*. Claims 64-66 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Keller* in view of *Ahlstrom*, Pham et al. (US 5,524,253) hereinafter *Pham* in view of *Grier* and further in view of *Chang*. Claims 70-73 were rejected under 35 U.S.C. 103(a) as being unpatentable over Giel et al. (US 2002/0169738) hereinafter *Giel* in view of Kaltenmark et al. (US 7,415,509) hereinafter *Kaltenmark* in view of *Grier* and further in view of *Chang*. Claim 58 was rejected under 35 U.S.C. 103(a) as being unpatentable over *Keller* in view of *Ahlstrom*, *Grier*, *Chang* and further in view of Eager et al. (US 5,960,200) hereinafter *Eager*. Claims 63 was rejected under 35 U.S.C. 103(a) as being unpatentable over *Keller* in view of *Ahlstrom*, *Grier*, *Chang*, and further in view of Bondarenko et al. (US 2004/0083479) hereinafter *Bondarenko*. Claims 74 and 75 were rejected under 35 U.S.C. 103(a) as being unpatentable by Hellerstein et al. (US 2002/0129356) in view of *Keller Ahlstrom*, *Grier*, and further in view of *Chang*.¹

By this amendment, claims 69-75 have been cancelled, claims 40, 64 and 67 have been amended.² Accordingly, claims 40-68 are pending, of which claims 40, 64 and 67 are the independent claims at issue.

¹ Although the prior art status of the cited art is not being challenged at this time, Applicant reserves the right to challenge the prior art status of the cited art at any appropriate time, should it arise. Accordingly, any arguments and amendments made herein should not be construed as acquiescing to any prior art status of the cited art.

² Support for these amendments may be found throughout the specification including but, not limited to, the portions discussed in the overview provided below.

A. Response to Objection to Specification and Claims

The Office Action objected to the use of the term "process architecture" arguing that it should be replaced by "processor architecture." By the amendments above, Applicant has amended the specification and claims to recite a "processor architecture." Accordingly, this objection should be withdrawn.

B. Response to Rejection under 35 U.S.C. § 101

The Office Action rejected claim 67, 68 and 70 under 35 U.S.C. § 101. By the amendments above, Applicant has cancelled claim 70, thus its rejection is moot and should be withdrawn. In addition, Applicant has amended claim 67 to recite, among other things, "storing at least some of the persisted information in the operating system registry in system memory of the computer..." which Applicant submits is statutory subject matter. Claim 68 depends from claim 67 and thus recites statutory subject matter. Accordingly, their rejection should be withdrawn.

C. Response to Rejections under 35 U.S.C. § 103(a)

Applicant respectfully traverses these rejections. Nevertheless, Applicant has cancelled claims 69-75 and has amended independent claims 40, 64 and 67 to recite, among other things, "an operating system registry of a computer" and "a plurality of versions of a single application being installed on the computer" in combination with various other features including namespace-related features.

By way of overview, the present application notes that prior art systems could overwrite registry entries when a newer version of an application is installed when an older version of the application is also installed.³ As a solution, the present application provides an operating system registry,⁴ which supports multiple versions of an application,⁵ and provides namespaces for those multiple versions.⁶

³ See, e.g., Specification, 2:4-5.

⁴ See, e.g., Specification, 11:15-20 (discussing application configurations in a registry 294).

⁵ See, e.g., 14:6-10 (discussing multiple versions).

⁶ See, e.g., Specification, 18:3-6 (discussing version being used in the namespaces).

In contrast, *Keller* does not disclose an operating system registry of a computer upon which a plurality of versions of a single application has been installed. Moreover, *Keller* does not disclose features relating to namespaces for instances of the plurality of installed versions. Accordingly, Applicant submits independent claims 40, 64 and 67 are allowable.

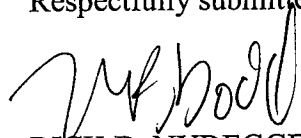
In view of the foregoing, Applicant respectfully submits that the other rejections to the claims are now moot and do not, therefore, need to be addressed individually at this time. It will be appreciated, however, that this should not be construed as Applicant acquiescing to any of the purported teachings or assertions made in the last action regarding the cited art or the pending application, including any official notice. Instead, Applicant reserves the right to challenge any of the purported teachings or assertions made in the last action at any appropriate time in the future, should the need arise. Furthermore, to the extent that the Examiner has relied on any Official Notice, explicitly or implicitly, Applicant specifically requests that the Examiner provide references supporting the teachings officially noticed, as well as the required motivation or suggestion to combine the relied upon notice with the other art of record.

In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney at (801) 533-9800.

The Commissioner is hereby authorized to charge payment of any of the following fees that may be applicable to this communication, or credit any overpayment, to Deposit Account No. 23-3178: (1) any filing fees required under 37 CFR § 1.16; and/or (2) any patent application and reexamination processing fees under 37 CFR § 1.17; and/or (3) any post issuance fees under 37 CFR § 1.20. In addition, if any additional extension of time is required, which has not otherwise been requested, please consider this a petition therefore and charge any additional fees that may be required to Deposit Account No. 23-3178.

Dated this 8th day of January, 2010.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Rick D. Nydegger", is written over the typed name.

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